

DATE: 01/02/01

REPLACES: Program: General #5, dated 2/10/97

ISSUING OFFICE: OFM 496-3368

DELEGATIONS OF AUTHORITY
Accept Gifts Under Section 231 of the PHS Act

Authorities Delegated

1. To accept unconditional and conditional gifts, excluding gifts of real property, with a value of not more than \$2,000,000.

To Whom Delegated**Area of Authority**

Deputy Director

NIH

Deputy Director for Management

NIH

Deputy Director for Extramural
Research

NIH Extramural Areas

Deputy Director for Intramural
Research

NIH Intramural Areas

IC Directors/Deputy Directors

Respective Area

2. To accept unconditional and conditional gifts, excluding gifts of real property, with a value of \$2,000,000 or more.

To Whom Delegated**Area of Authority**

Deputy Director for Management

NIH

Limitations/Guidance

1. The authorities delegated above must be exercised in accordance with all applicable statutes, regulations, and DHHS and NIH policies. See NIH Manual 1135, "Gifts Administration," for specific policy information.
2. A copy of all letters accepting gifts over \$100,000 must be forwarded to the Deputy Director for Management, as well as to either the Deputy Director for Extramural Research or the Deputy Director for Intramural Research, respectively, for review.

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3. Offers of personal property may not be accepted if the total costs associated with acceptance are expected to exceed the cost of purchasing a similar item and the cost of normal care and maintenance; see NIH Manual 1130, Program: General No. 26, "PHS Act, Title XXI."
4. Acceptable conditions for donations of articles, manuscripts, correspondence, and similar items to the National Library of Medicine include reasonable restrictions set by donors; e.g., to obtain permission of the donor prior to examination of donated materials by a third party, or prohibiting public availability of a collection of papers for a specified reasonable period of time.
5. All previous delegations of authority inconsistent with the provisions of this delegation are superseded.

Redelegation

1. Authority No. 1 may be redelegated only within the National Library of Medicine. Authority No. 2 may not be redelegated.
2. All redelegations must be in writing. A copy of the redelegation must be retained by the official making the delegation and by the incumbent of the position to whom the delegation is made. A copy of the redelegation must also be sent to the respective administrative office.

Citations

1. 5 U.S.C. 302; Sections 231 and 465(f) of the Public Health Service Act, as amended (42 U.S.C. 238, 286(f))
2. Memorandum to PHS Agency Heads from the Assistant Secretary for Health, dated July 10, 1995, entitled: "Delegation of Authority To Accept Gifts Under Title XXI of the Public Health Service Act (PHS), Miscellaneous"

NIH MANUAL 1130, Finance #5

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3. NIH Manual 1135, "Gifts Administration"
4. Secretary's Reorganization Order of September 25, 1995
(60 FR 51480 (October 2, 1995))

/s/
Ruth L. Kirschstein, M.D.
Acting Director, NIH

Effective Date: January 2, 2001